

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

DONNA M. ACKERLY et al.,

Defendants.

Cr. No. 16-10233-RGS

DONNA M. ACKERLY'S RENEWED MOTION TO SEVER

Defendant Donna M. Ackerly hereby renews her motion that the Court sever her trial from the trial of her co-defendants. Two of Ackerly's co-defendants, Charles Garske and Richard Gottcent, have made statements to the FBI that are memorialized in notes and memoranda. The government has represented that it may present portions of those statements at trial. Ackerly's request for severance is thus based on *Bruton v. United States*, 391 U.S. 123 (1968), in conjunction with the evidentiary and practical circumstance of this case.

In support of this Motion, Ackerly is preparing a detailed memorandum and supporting exhibits. An assented-to motion for an extension of time to file those materials is pending (ECF No. 190).

Respectfully submitted,

Donna M. Ackerly

By her counsel,

/s/ Michael Kendall

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 7.1 AND 112.1

In accordance with Local Rules 7.1(a)(2) and 112.1, I hereby certify that counsel for Defendant Donna M. Ackerly have conferred with the government and have attempted in good faith to resolve or narrow the issue before filing this Motion.

/s/ Michael Kendall

Michael Kendall

CERTIFICATE OF SERVICE

I hereby certify that the above document was filed on the date appearing in the header of this page through the ECF system, which will send true copies of the document to the attorneys of record for each party.

/s/ Michael Kendall

Michael Kendall